

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON APPROPRIATIONS**

**Call to Order:** Chairman Jon C. Sesso, on March 21, 2009 at 10:30  
A.M., in Room 102 Capitol

#### **ROLL CALL**

##### **Members Present:**

Rep. Jon C. Sesso, Chairman (D)  
Rep. Duane Ankney (R)  
Rep. Dennis Getz (D)  
Rep. Bill E. Glaser (R)  
Rep. Ray Hawk (R)  
Rep. Teresa K. Henry (D)  
Rep. Cynthia Hiner (D)  
Rep. Roy Hollandsworth (R)  
Rep. Galen Hollenbaugh (D)  
Rep. Llew Jones (R)  
Rep. Dave Kasten (R)  
Rep. Bill McChesney (D)  
Rep. Walter McNutt (R)  
Rep. Robert Mehlhoff (D)  
Rep. Penny Morgan (R)  
Rep. Bill Nooney (R)  
Rep. Carolyn Pease-Lopez (D)  
Rep. Don Roberts (R)  
Rep. Cheryl Steenson (D)  
Rep. Dan Villa (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Jon Moe, Legislative Branch  
Samuel Speerschneider, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: None

Executive Action: HB 5; HB 467; HB 60; HB 130;  
HB 131; HB 132; HB 487; HB 629;  
HB 659; HB 611; HB 583; HB 250;  
HB 577

00:01:42 Chairman Sesso  
00:03:55 Rep. Steenson  
00:05:28 Chairman Sesso

**Presentation of Amendments:**

00:05:47 Catherine Duncan, Legislative Fiscal Division (LFD)  
00:07:21 Jon Moe, LFD

**EXECUTIVE ACTION ON HB 5**

00:08:45 **Motion:** Rep. Kasten moved that **HB 5 DO PASS.**

00:08:57 **Motion:** Rep. Hiner moved that **HB 5 BE AMENDED.**  
**EXHIBIT**(aph63a01)

**Discussion:**

00:09:24 Chairman Sesso  
00:09:37 Ms. Duncan  
00:10:20 Chairman Sesso  
00:10:27 Ms. Duncan  
00:11:05 Chairman Sesso

00:12:27 **Vote:** Motion carried unanimously by voice vote.

**Discussion:**

00:13:50 Chairman Sesso

00:14:28 **Motion:** Rep. Kasten moved that **HB 5 BE AMENDED.**  
**EXHIBIT**(aph63a02)

**Discussion:**

00:16:26 Chairman Sesso  
00:17:23 Rep. Morgan  
00:17:42 Chairman Sesso

00:18:31 **Vote:** Motion carried unanimously by voice vote.

00:18:49 **Motion:** Rep. Jones moved that **HB 5 BE AMENDED.**  
**EXHIBIT**(aph63a03)

**Discussion:**

00:19:46 Rep. Henry  
00:20:22 Chairman Sesso

00:20:27 **Vote:** Motion carried unanimously by voice vote.

00:20:51 **Motion:** Rep. Hiner moved that **HB 5 BE AMENDED.**  
**EXHIBIT**(aph63a04)

00:21:45 **Vote:** Motion carried by voice vote 19-1, with Rep.  
Getz voting No.

00:22:34 **Motion:** Rep. Jones moved that **HB 5 BE AMENDED.**  
**EXHIBIT**(aph63a05)

00:23:24 **Vote:** Motion carried unanimously by voice vote.

**Discussion:**

00:23:43 Ms. Duncan  
00:24:22 Chairman Sesso  
00:25:05 Ms. Duncan  
00:25:11 Chairman Sesso  
00:25:23 Ms. Duncan  
00:25:29 Chairman Sesso  
00:25:58 Ms. Duncan  
00:26:45 Chairman Sesso  
00:26:55 Ms. Duncan  
00:27:14 Rep. Glaser  
00:28:00 Chairman Sesso  
00:28:32 Rep. Glaser  
00:28:40 Chairman Sesso

00:28:56 **Motion:** Rep. Kasten moved that **HB 5 BE AMENDED.**  
**EXHIBIT**(aph63a06)

00:29:53 **Vote:** Motion carried unanimously by voice vote.

00:30:19 **Motion:** Rep. Mehlhoff moved that **HB 5 BE AMENDED.**  
**EXHIBIT**(aph63a07)

**Discussion:**

00:31:11 Rep. Ankney

00:31:50 Rep. Mehlhoff  
00:32:39 Chairman Sesso  
00:32:45 Rep. Mehlhoff  
00:33:32 Rep. Kasten  
00:33:48 Rep. Mehlhoff  
00:34:23 Rep. Kasten  
00:34:34 Rep. Mehlhoff  
00:35:29 Rep. Kasten  
00:35:40 Rep. Henry  
00:36:35 Rep. Glaser  
00:37:15 Rep. Mehlhoff  
00:37:27 Rep. Glaser  
00:38:11 Chairman Sesso  
00:38:52 Rep. Mehlhoff  
00:39:11 Chairman Sesso  
00:40:03 Rep. Morgan  
00:40:35 Chairman Sesso  
00:40:43 Rep. Villa  
00:42:24 Rep. Morgan  
00:43:12 Rep. Villa  
00:44:06 Rep. Morgan  
00:44:43 Rep. Villa  
00:45:38 Chairman Sesso  
00:45:47 Ms. Duncan  
00:47:13 Chairman Sesso  
00:47:46 Rep. Glaser  
  
00:47:59 **Vote:** Motion carried by voice vote 18-2, with Rep. Hawk and Rep. Morgan voting no. Rep. Hiner voted by proxy.  
  
00:48:37 **Motion/Vote:** Rep. Hollenbaugh moved that **HB 5 DO PASS AS AMENDED**. Motion carried unanimously by voice vote.  
  
00:49:20 Rep. Kasten  
00:49:43 Chairman Sesso  
  
00:50:32 Recess  
01:04:13 Reconvene  
  
01:04:21 Rep. Morgan  
01:05:19 Rep. Villa  
01:06:38 Rep. Jones  
01:07:21 Rep. Villa  
01:08:38 Rep. Glaser  
01:09:32 Chairman Sesso

**EXECUTIVE ACTION ON HB 467**

01:10:52 **Motion:** Rep. Kasten moved that **HB 467 DO PASS.**

01:13:00 **Motion:** Rep. Kasten moved that **HB 467 BE AMENDED.**  
**EXHIBIT**(aph63a08)

**Discussion:**

01:13:18 Ms. Duncan  
01:15:14 Rep. Kasten  
01:15:34 Rep. Mehlhoff  
01:15:57 Chairman Sesso

01:16:23 **Vote:** Motion carried by voice vote 18-2 with Rep. Hawk and Rep. Kasten voting no. Rep. Henry and Rep. Ankney voted by proxy.

**Discussion:**

01:17:14 Chairman Sesso  
01:18:12 Rep. Villa  
01:18:17 Ms. Duncan  
01:18:45 Chairman Sesso  
01:18:53 Rep. Kasten

01:19:04 **Motion/Vote:** Rep. Kasten moved that **HB 467 DO PASS AS AMENDED.** Motion failed 4-16 by roll call vote with Rep. Getz, Rep. Henry, Rep. Mehlhoff, and Rep. Sesso voting aye. Rep. Henry and Rep. Ankney voted by proxy.

01:20:57 Chairman Sesso  
01:21:56 Rep. Henry  
01:32:32 Rep. Morgan  
01:33:37 Chairman Sesso  
01:33:49 Rep. Roberts  
01:34:21 Rep. Kasten  
01:35:15 Rep. Hawk  
01:35:27 Chairman Sesso  
01:35:36 Rep. Morgan  
01:38:20 Rep. Henry  
01:39:13 Rep. McChesney  
01:39:59 Rep. Glaser  
01:40:59 Rep. Roberts  
01:42:07 Rep. Jones  
01:43:24 Rep. Morgan  
01:44:44 Chairman Sesso  
01:45:18 Rep. Henry  
01:46:00 Chairman Sesso

01:46:34 Rep. Henry  
01:47:17 Chairman Sesso  
01:48:04 Rep. Roberts  
01:49:07 Rep. Hawk  
01:49:40 Rep. Kasten

**EXECUTIVE ACTION ON HB 60**

01:49:46 **Motion/Vote:** Rep. Kasten moved that **HB 60 BE TABLED**.  
Motion carried 17-3 by voice vote with Rep. Henry, Rep.  
Pease-Lopez, and Rep. Steenson voting no. Rep. Ankney  
voted by proxy.

01:50:34 Rep. Morgan  
01:50:40 Chairman Sesso  
01:50:53 Rep. Kasten  
01:51:19 Chairman Sesso  
01:53:44 Rep. Glaser  
01:54:27 Chairman Sesso  
01:55:07 Rep. Jones  
01:55:39 Rep. Villa  
01:56:06 Rep. Glaser  
01:56:32 Rep. Villa  
01:56:55 Rep. Morgan  
01:57:13 Chairman Sesso

**EXECUTIVE ACTION ON HB 130**

01:58:20 **Motion:** Rep. Henry moved that **HB 130 DO PASS**.

01:58:34 **Motion:** Rep. Henry moved that **HB 130 BE AMENDED**.  
**EXHIBIT**(aph63a09)

**Discussion:**

01:59:00 Rep. Hiner  
01:59:33 Chairman Sesso  
02:00:33 Rep. Henry  
02:00:54 Chairman Sesso  
02:02:13 Rep. McChesney  
02:02:32 Chairman Sesso  
02:03:10 Rep. Morgan  
02:03:23 Chairman Sesso

02:04:02 **Vote:** Motion carried unanimously by voice vote with  
Rep. Ankney voting by proxy.

02:04:16 **Motion/Vote:** Rep. Henry moved that **HB 130 DO PASS AS AMENDED**. Motion carried unanimously by voice vote.  
Rep. Ankney voted by proxy.

**EXECUTIVE ACTION ON HB 131**

02:04:31 **Motion:** Rep. Henry moved that **HB 131 DO PASS**.

02:04:44 **Motion:** Rep Henry moved that **HB 131 BE AMENDED**.  
**EXHIBIT**(aph63a10)

02:05:31 **Vote:** Motion carried unanimously by voice vote with  
Rep. Ankney voting by proxy.

02:05:38 **Motion/Vote:** Rep. Henry moved that **HB 131 DO PASS AS AMENDED**. Motion carried unanimously by voice vote.  
Rep. Ankney voted by proxy.

**EXECUTIVE ACTION ON HB 132**

02:06:07 **Motion:** Rep. Henry moved that **HB 132 DO PASS**.

02:06:20 **Motion:** Rep. Henry moved that **HB 132 BE AMENDED**.  
**EXHIBIT**(aph63a11)

02:06:58 **Vote:** Motion carried unanimously by voice vote with  
Rep. Ankney voting by proxy.

02:07:04 **Motion/Vote:** Rep. Henry moved that **HB 132 DO PASS AS AMENDED**. Motion carried unanimously by voice vote with  
Rep. Ankney voting by proxy.

**EXECUTIVE ACTION ON HB 487**

02:08:30 **Motion/Vote:** Rep. McNutt moved that **HB 487 DO PASS**.  
Motion carried 18-2 by voice vote with Rep. Hawk and  
Rep. Sesso voting no. Rep. Ankney voted by proxy.

**EXECUTIVE ACTION ON HB 629**

02:11:14 **Motion:** Rep. Glaser moved that **HB 629 DO PASS**.

**Discussion:**

02:13:49 Rep. Getz  
02:14:10 Rep. Glaser  
02:14:33 Rep. Getz  
02:14:44 Chairman Sesso  
02:15:21 Rep. Getz

02:15:46 **Vote:** Motion carried unanimously by voice vote with Rep. Ankney voting by proxy.

**EXECUTIVE ACTION ON HB 659**

02:15:56 **Motion:** Rep. Roberts moved that **HB 659 DO PASS.**

**Discussion:**

02:17:37 Rep. McChesney  
02:17:46 Rep. Roberts  
02:18:04 Rep. Villa  
02:19:10 Rep. Mehlhoff  
02:19:32 Rep. Glaser

02:20:19 **Vote:** Motion carried by voice vote 18-2, with Rep. Hawk and Rep. Kasten voting no. Rep. Ankney voted by proxy.

**EXECUTIVE ACTION ON HB 167**

02:20:46 **Motion:** Rep. Nooney moved that **HB 167 DO PASS.**

**Discussion:**

02:22:49 Chairman Sesso  
02:24:23 Rep. Nooney withdrew his motion.  
02:24:35 Chairman Sesso

**EXECUTIVE ACTION ON HB 611**

02:24:53 **Motion:** Rep. Jones moved that **HB 611 DO PASS.**

02:25:55 **Motion:** Rep. Villa moved that **HB 611 BE CONCEPTUALLY AMENDED.**

02:29:06 **Vote:** Motion carried unanimously by voice vote with Rep. Ankney voting by proxy.



02:29:35 **Motion/Vote:** Rep. Jones moved that **HB 611 DO PASS AS AMENDED**. Motion carried 19-1 by voice vote with Rep. Hawk voting no. Rep. Ankney voted by proxy.

**EXECUTIVE ACTION ON HB 583**

02:30:14 **Motion:** Rep. McNutt moved that **HB 583 DO PASS**.

02:30:46 **Motion:** Rep. McNutt moved that **HB 583 BE AMENDED. EXHIBIT(aph63a12)**

**Discussion:**

02:31:44 Rep. Villa  
02:32:33 Andy Poole, Deputy Director, Department of Commerce  
02:33:00 Rep. McNutt  
02:33:10 Tony Preite, Director, Department of Commerce  
02:34:28 Rep. McNutt  
02:34:39 Rep. Villa  
02:34:54 Rep. Jones  
02:35:18 Rep. McNutt  
02:35:24 Rep. Villa  
02:36:14 Chairman Sesso  
02:37:08 Rep. Kasten  
02:37:27 Mr. Poole  
02:38:51 Chairman Sesso  
02:38:57 Rep. Villa  
02:40:35 Mr. Preite  
02:40:52 Chairman Sesso

02:41:13 **Vote:** Motion carried by voice vote 18-2, with Rep. Hawk and Rep. Kasten voting no. Rep. Ankney voted by proxy.

02:41:34 **Motion/Vote:** Rep. McNutt moved that **HB 583 DO PASS AS AMENDED**. Motion carried 17-3 by voice vote with Rep. Hawk, Rep. Kasten, and Rep. Morgan voting no. Rep. Ankney voted by proxy.

**EXECUTIVE ACTION ON HB 250**

02:42:13 **Motion:** Rep. Morgan moved that **HB 250 DO PASS**.

02:43:19 **Motion:** Rep. Morgan moved that **HB 250 BE CONCEPTUALLY AMENDED**.

02:43:43 **Vote:** Motion carried unanimously by voice vote with Rep. Ankney and Rep. Villa voting by proxy.

02:43:51 **Motion:** Rep. Morgan moved that **HB 250 DO PASS AS AMENDED.**

**Discussion:**

02:44:24 Chairman Sesso  
02:45:09 Rep. Morgan  
02:45:44 Rep. Kasten

02:46:05 **Vote:** Motion carried by voice vote 18-2, with Rep. Villa and Rep. Hiner voting no. Rep. Ankney and Rep. Villa voted by proxy.

**EXECUTIVE ACTION ON HB 577**

02:46:31 **Motion:** Rep. Steenson moved that **HB 577 DO PASS.**

02:47:28 **Motion:** Rep. Morgan moved that **HB 577 BE CONCEPTUALLY AMENDED.**

**Discussion:**

02:48:57 Chairman Sesso  
02:49:44 Rep. Villa  
02:50:23 Rep. Steenson  
02:50:33 Rep. Caferro, HD 80, Helena  
02:51:22 Rep. Villa  
02:51:30 Rep. Morgan

02:53:56 **Motion:** Rep. Villa moved that **HB 577 BE AMENDED.**  
**EXHIBIT** (aph63a13)

02:54:19 **Vote:** Motion carried unanimously by voice vote with Rep. Hawk, Rep. Getz, Rep. McChesney and Rep. Ankney voting by proxy.

02:54:46 Mr. Moe  
02:55:30 Mary Daumiller, LFD  
02:55:45 Rep. Morgan  
02:56:13 Ms. Daumiller

02:57:19 **Motion/Vote:** Rep. Villa moved that **HB 577 DO PASS AS AMENDED.** Motion carried 18-2 by voice vote with Rep. Hawk and Rep. Kasten voting no. Rep. Ankney, Rep. Hawk, Rep. McChesney and Rep. Getz voted by proxy.

02:58:50 Chairman Sesso

**ADJOURNMENT**

02:59:45 Adjournment: 1:30 P.M.

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Samuel Speerschneider, Secretary

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Additional Documents:

**EXHIBIT ([aph63aad.pdf](#))**